

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)	
)	
of the Educator Certificate of)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Randall T. Phillips,)	
)	
Certificate 139839)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 8, 2005. On May 16, 2005, the Office of Teacher Certification served Randall T. Phillips a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate. The notice was served by a Deputy Sheriff from the Greenville County Sheriff's Office on May 16, 2005. Mr. Phillips did not request a hearing within the time frame specified in the notice letter. After considering the evidence presented, the State Board voted to suspend Mr. Phillips' certificate for one year.

FINDINGS OF FACT

Mr. Phillips holds a valid certificate with over twenty years of teaching experience. Mr. Phillips held a 2004-05 contract with Greenville County School District until his resignation effective February 28, 2005. Mr. Phillips was assigned as a physical education teacher at Bryson Middle School. On February 14, 2005, Mr. Phillips notified his Principal that he was resigning because he had accepted other employment. On March 16, 2005, the District notified Mr. Phillips that his resignation was not in compliance with District policy. On March 22, 2005, the District Board of Trustees voted to request suspension of Mr. Phillips' certificate as a result of his breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Mr. Phillips breached his contract with Greenville County School District, warranting the suspension of Mr. Phillips' certificate 139839 for a period of one year, from June 8, 2005, through June 7, 2006. Should Mr. Phillips wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina
June 8, 2005